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Attorneys for Respondent
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00124 HG
)	
Plaintiff,)	STIPULATION AND ORDER REDUCING
)	SENTENCE PURSUANT TO NEW
vs.)	SENTENCING GUIDELINE AMENDMENT
)	
CARLOS ANTONIO HARRIS,)	
aka "Carlos Anthony Harris,")	
aka "Mugsy,")	
)	
Defendant.)	
_____)	

STIPULATION AND ORDER REDUCING SENTENCE
PURSUANT TO NEW SENTENCING GUIDELINE AMENDMENT

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that, pursuant to 18 U.S.C. § 3582(c), the defendant's sentence of 121 months imposed on January 10, 2006, is reduced to 97 months. All other provisions of the sentence imposed on January 10, 2006 remain unaltered.

The defendant, Carlos Antonio Harris, also known as Carlos Anthony Harris, also known as Mugsy, is currently serving a term of imprisonment for an offense involving cocaine base (crack). HARRIS is currently incarcerated at FCI Manchester, Kentucky. Defendant HARRIS consents to counsel entering into this stipulation.

Defendant HARRIS was sentenced by this Court on December 8, 2005 to a term of 121 months imprisonment. A judgment and amended judgment were imposed on January 6, 2006 and January 10, 2006, respectively. The defendant's guideline range was 168 to 210 months based upon a total offense level of 35. The Court departed downward three levels to level 32, guideline range (121-151 months) after granting the government's motion for downward departure based upon the defendant's substantial assistance.

Pursuant to United States Sentencing Guideline Amendment 706, which became effective on November 1, 2007 and was made retroactive by virtue of Sentencing Guideline Section 1B1.10(c), effective March 3, 2008, the base offense level for cocaine base "crack" offenses was reduced by two levels. The parties stipulate that defendant HARRIS' guideline range is hereby reduced by two levels, to level 30, resulting in a sentence of 97 months. See U.S.S.G. Appendix C, Amendment 706.

IT IS SO STIPULATED.

DATED: September 18, 2008, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Beverly Wee Sameshima
BEVERLY WEE SAMESHIMA
Assistant U. S. Attorney

/s/ Gurmail Singh
GURMAIL SINGH, ESQ.
Attorney for Defendant
CARLOS ANTONIO HARRIS

APPROVED AND SO ORDERED:

Dated: September 19, 2008, Honolulu, Hawaii.



/s/ Helen Gillmor
Chief United States District Judge

UNITED STATES V. CARLOS ANTONIO HARRIS

CR. NO. 05-00124 HG

"Stipulation and Order Reducing Sentence Pursuant to New
Sentencing Guideline Amendment"